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SENATE BILL 330

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Richard C. Martinez

AN ACT

RELATING TO GAMING; ALLOWING GAMING OPERATOR LICENSEES TO HAVE
AUTOMATED TELLER MACHINES IN AREAS WHERE GAMING MACHINES ARE
LOCATED.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 60-2E-26 NMSA 1978 (being Laws 1997,
Chapter 190, Section 28) is amended to read:

"60-2E-26. GAMING OPERATOR LICENSEES--GENERAL
PROVISIONS--BUSINESS PLAN--PLAYER AGE LIMIT--RESTRICTIONS.--

A. An applicant for licensure as a gaming operator
shall submit with the application a plan for assisting in the
prevention, education and treatment of compulsive gambling.
The plan shall include regular educational training sessions
for employees. Plan approval is a condition of issuance of the
license.

underscored material = new
[bracketed material] = delete

1 B. An applicant for licensure as a gaming operator
2 shall submit with the application a proposed business plan.

3 The plan shall include at least:

4 (1) a floor plan of the area to be used for
5 gaming machine operations;

6 (2) an advertising and marketing plan;

7 (3) the proposed placement and number of
8 gaming machines;

9 (4) a financial control plan;

10 (5) a security plan;

11 (6) a staffing plan for gaming machine
12 operations; and

13 (7) details of any proposed progressive
14 systems.

15 C. A gaming operator licensee shall be granted a
16 license to operate a specific number of machines at a gaming
17 establishment identified in the license application and shall
18 be granted a license for each gaming machine.

19 D. A gaming operator licensee who desires to change
20 the number of machines in operation at a gaming establishment
21 shall apply to the board for an amendment to [~~his~~] the gaming
22 operator's license authorizing a change in the number of
23 machines.

24 E. Gaming machines may be available for play only
25 in an area restricted to persons twenty-one years of age or

.175655.1

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[bracketed material] = delete

1 older.

2 F. A gaming operator licensee shall erect a
3 permanent physical barrier to allow for multiple uses of the
4 premises by persons of all ages. For purposes of this
5 subsection, "permanent physical barrier" means a floor-to-
6 ceiling wall separating the general areas from the restricted
7 areas. The entrance to the area where gaming machines are
8 located shall display a sign that the premises are restricted
9 to persons twenty-one years of age or older. Persons under the
10 age of twenty-one shall not enter the area where gaming
11 machines are located.

12 ~~[G. A gaming operator licensee shall not have~~
13 ~~automated teller machines in the area restricted pursuant to~~
14 ~~Subsection F of this section.]~~

15 H.] G. A gaming operator licensee shall not
16 provide, allow, contract or arrange to provide alcohol or food
17 for no charge or at reduced prices as an incentive or
18 enticement for patrons to game.

19 ~~[H.]~~ H. Only a racetrack licensed by the state
20 racing commission or a nonprofit organization may apply for or
21 be issued a gaming operator's license. No other persons are
22 qualified to apply for or be issued a gaming operator's license
23 pursuant to the Gaming Control Act."

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